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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 016907/1153

Applicant: Gaku TAKANO et al.

Title: IMAGE PROCESSING APPARATUS AND IMAGE
PROCESSING METHOD

Appl. No.: 09/667,102

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Examiner: Unknown

Art Unit: 2852

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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
Washington, D.C. 20231

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Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any documents which is determined to be a prima facie prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account No. 19-0741.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

RELEVANCE OF EACH DOCUMENT

A translation of a portion of a Japanese Office Action that issued March 19, 2002 with respect to a counterpart Japanese patent application is provided below.

Japanese Patent Application KOKAI Publication No. 6-19678 (B3 on Form PTO-1449) and Japanese Patent Application KOKAI Publication No. 9-116907 (B4 on Form PTO-1449) describe an apparatus which encodes reference image data and correlation information with the reference image data.

Japanese Patent Application KOKAI Publication No. 10-233408 (B5 on Form PTO-1449) describes ordering the replacement of image data according to the degree of correlation. It is no more than a matter of choice for a person skilled in the art to determine the degree of separation in evaluating the correlation.

Japanese Patent Application KOKAI Publication No. 9-55856 (B6 on Form PTO-1449) describes Gray coding a multilevel image.

Applicants' statements regarding the Japanese Office Action are based on a translation that Applicants' representative obtained. These statements should in no way be considered as an agreement by Applicants with, or an admission of, which is asserted in the Japanese Office Action.

English translations of documents B3-B6 are not readily available; however, English language abstracts are provided. The absence of such translations does not relieve the PTO from its duty to consider the submitted documents (37 CFR §1.98 and MPEP §609). Applicants also note that document A1 is a U.S. patent counterpart to document A5 and document A2 is a U.S. patent counterpart to document A6.

Applicants respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form-1449 be returned in accordance with MPEP §609.

5/6/02

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